

Docket Number 30723USDIV1	
FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10	
EU652383182US Express Mail Label Number	June 24, 2003 Date of Deposit

Address to: Mail Stop Patent Application
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17354 U.S. PTO
10/602166
06/24/03

UTILITY PATENT APPLICATION TRANSMITTAL

Transmitted herewith for filing under 37 CFR §1.53(b) is the utility patent application of

In re application of: Gynheung An et al.

Title: DNA COMPRISING ANTHR-SPECIFIC GENE AND TRANSGENIC PLANT TRANSFORMED THEREWITH

Enclosed are:

1. ☒ Fee Transmittal Form
2. ☐ Applicant claims small entity status
3. ☒ Specification (Including claims and abstract) - 25 pages
4. ☐ Drawing(s) (35 U.S.C. 113) - sheets
5. ☒ Declaration or Oath
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
6. ☒ Application Data Sheet
7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (appendix)
8. ☒ Nucleotide and/or Amino Acid Sequence Submission
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ Paper
 - c. ☒ Statement Verifying Identity of Above Copies
9. ☐ Assignment papers (cover sheet and document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
15. ☐ Certified Copy of the Priority Document(s)
16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i)
17. ☒ Other: Express Mail Certificate

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part

of prior application No: 09/848,696

Prior application information: Examiner: Baum, Stuart F. Group Art Unit: 1638

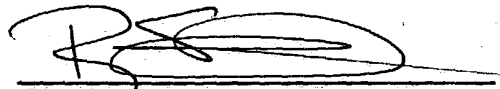
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

Please address all correspondence to the address associated with Customer No. 022847.

Please direct all telephone calls to the undersigned at the number given below, and all telefaxes to (919) 541-8689.

Respectfully submitted,

Date: 6/24/03



Randee S. Schwartz
Attorney for Applicants
Reg. No. 45,085
Tel. No. (919) 765-5098

06/24/03

17691 U.S. PTO

PTO/SB/17 (05-03)

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT**

(\$ 750.00)

Compl to if Kn wn

Application Number

Filing Date

First Named Inventor

Gynheung An et al.

Examiner Name

Art Unit

Attorney Docket No.

30723USDIV1

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name**The Director is authorized to: (check all that apply)**☒ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	750.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 750.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

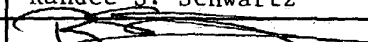
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Randee S. Schwartz	Registration No. (Attorney/Agent)	45,085	Telephone	919-765-5098
Signature		Date	6/24/03		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FILING BY "EXPRESS MAIL" UNDER 37 C.F.R. § 1.10

I hereby certify that the following correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 under Express Mail Label No. EU652383182US on the date indicated below.

- 1) Utility Patent Application Transmittal
- 2) Fee Transmittal for FY 2003 (PTO/SB/17)
- 3) Application Data Sheet (3 pages total)
- 4) Declaration and Power of Attorney for United States Patent Application (8 pages total)
- 5) Preliminary Amendment (4 pages total)
- 6) Specification (25 pages total)
- 7) Submission of Sequence Listing Including Statement of Verification
- 8) Sequence Listing (Paper) (6 pages total)
- 9) Credit Card Payment Form
- 10) Return Postcard

Melissa Hardy

Name

Melissa Hardy

Signature

June 24, 2003

Date